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Jean Inman Chairman

Massachusetts Republican Party

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617-357-1998 800-622-VOTE 617-357-1975 FAX http://www.massgop.com

21 Milk Street • Boston, Massachusetts • 02109

the Matter of:		MUR No.: 4803
The John Tierney for Congress Committee) }	MUR No.: 1000

COMPLAINT

Pursuant to 2 U.S.C. 437g, and upon information and belief, the Massachusetts Republican Party ("MRP") brings this complaint to the Federal Election Commission ("the Commission") regarding possible violation of Commission regulations at 11 C.F.R. 116.2(c)(2), by the John Tierney for Congress Committee ("Tierney for Congress"). Based upon publicly available Federal Election Commission reports submitted by Tierney for Congress, there is reason to believe that Tierney for Congress has violated 11 C.F.R. 116.2(c)(2) by transferring funds to another committee authorized by the candidate while Tierney for Congress had outstanding debts.

Statement of Facts

According to Tierney for Congress's April 15,1996 Quarterly Report of Receipts and Disbursements on Schedule B page 1 of 1, Tierney for Congress transferred \$90,976.63 to the John Tierney for Congress '96 committee ("Tierney '96"). This transfer left Tierney for Congress with a balance of cash on hand at \$0.00, and a balance of outstanding debts and liabilities at \$98,060.31. As of the January 31, 1998 Year End Report of Receipts and Disbursements Tierney for Congress had \$0.00 cash on hand, and their net contributions and expenditures for this period were each \$0.00. However, based on the 1998 Year End Report of Receipts and Disbursements Tierney for Congress still retained a balance of \$98,060.31 for outstanding debts and liabilities.

Legal Analysis

There Is Reason To Believe That Tierney For Congress Has Violated Commission Regulations By Transferring Funds To Another Committee Of The Same Candidate While Leaving Net Debts Outstanding. Commission regulations strictly limit transfers of excess campaign funds between authorized committees of the same candidate. Such transfers are permissible only if the committee making the transfer has no net debts outstanding at the time of the transfer. See 11 C.F.R. 116.2(c)(1) and (2).

Based on the Tierney for Congress FEC reports there is reason to believe that the transferring committee, Tierney for Congress, had substantial debts at the time it transferred campaign funds to the receiving committee, Tierney '96. Therefore, based on FEC reports and the information publicly available there is reason to believe that this transfer of funds between Tierney for Congress and Tierney '96 is unlawful under Commission regulations.

Conclusion

Based upon information and belief as delineated above, the MRP requests that the Commission find that the John Tierney for Congress Committee and the John Tierney for Congress '96 committee violated Commission regulations and take appropriate action to prevent this on-going violation from continuing.

Respectfully Submitted,

Marc DeCourcey
Executive Director

Sworn and subscribed to in Boston, MA by the said Marc DeCourcey on the 25th day of August.

Notary Public

My commission expires My 10 2

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			RECEIPTS AND or An Authorized Commit (Summary Page)		URSEME	NTS	Francisco
		1. NAME OF COMMITTEE (in full)					Fig. 6 and 1
ISE FEC HAILDIG LABIL OR	PRENT	The John Tierney for Concress Committee ADDRESS (number and street) Check if different the		+	2. FEC IDEN	TIFICA	LICK S 12 UK 13 TON NUMBER
£ 6	0	133 Washington Street		Į,	C20283283		
2	ξ	CITY, STATE and ZIP CODE	STATE/DISTRICT		3. IS THIS RE	PORT	AN AMENDMENT?
200		Salen, Massachusetts 01970	MA/Sieth		X YES		JND
•		X April 15 Quetterly Report	TYPE OF REPOR		(Ty	•	(lection)
		July 15 Quarterly Report	election se		ur gru	s State	
		October 15 Quarterly Report	Thirtieth day rep	part folk	owing the Ga	nersi E	lection on
	1	January 31 Year End Report			in the State :		
		July 31 Mid-Year Report (New-Austine Year Only)	Temination Reg	ort			
	•	This report contains sclivity for X Primary Election	General Election		Special Ele	ction	Runoff Election
			SUMMARY				
		5. Covering Period 1/1/96 throug	ph 3/31/95	.T	COLUMN This Period	A	COLUMN B
		6. Net Contributions (other than losns)					
		(a) Total Contributions (other than loans) if	rom Line 11(e)}		673	61.24	67361.2 4
		(b) Total Contribution Refunds (from Line 2)	Oldif			-0	-0
		(c) Net Contributions (other than losne) (sul	btract Line 6(b) from 6(c) .		673	61.24	67361.24
		7. Net Operating Expenditures					
		(a) Total Operating Expenditures (from Line	17)		228	12.B4	22612.B4
		(b) Total Offsets to Operating Expenditures	(from Line 14)			-0	-0
		(a) Net Operating Expenditures (subtract Lie	ne 7(b) from 7(s);		226	12,84	22612.84
		B. Cash on Hand at Close of Reporting Period if	from Line 27)			-0	For turther information contact:
		8. Debte and Obligations Owed TO the Commit (Itemize all on Schedule C and/or Schedule D				-n	Federal Election Commission 888 E. Report, NW
	10. Debts and Obligations Owed BY the Committee						Waltington, DC 20463 Tell Free 800-424-9630
		I certify that I have examined this Report and to correct and complete.	to the best of my knowl	ledge an	d belief it is t	rue,	Lacel 202-218-3420
		Type or Print Name of Tressurer Soy F. Gelineau, Jr.					
		Signature of Treasurer	1				Date
		Tog to Selinea					12/4/96
		NOTE: Submission of false, enameaus, or incom	ipietesinromation mey s	rubject the	person signing the	Report	
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DETAILED SUMMARY PAGE of Receipts and Disbursements

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he John Martey for Congress Completes	From: 1/1/96		ты:3/31/96	-
L RECEIPTS	KINLLICIS Fairt Issot		COLUMN F Calendar Year-To-Da	4
1.CONTRIBUTIONS (other than loans) FROM:		-1-4-5		
(a) Individuals/Persons Other Than Political Committees				
8 Itemized (use Schedule A)		781,24	7-4-4-17-	ď
p Uniternized		680,00	`n ,e.	₫'
(4 Total of contributions from individuals	53	461.24	55961,24	<u>"</u>
(b) Political Party Committees		-0-,	-D	-
(o) Other Political Committees (such as PACs)	11:	900.00	11,500,00	Ц
(d) The Candidate		- 6- .	<u>~</u> 0~.	
(e) TOTAL CONTRIBUTIONS (other than loans) and I Halfill [b], (c) and (d))	67:	361.24	\$7,361.24	1
Z.TRANSFERS FROM OTHER AUTHORIZED COMMITTEES		-0-		
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3.LOANS:		-0	- 0-	#
(a) Made or Guaranteed by the Candidate		-0	-0	-+
(b) All Other Loans.		-C	-3	۲,
(c) TOTAL LOANS (add 13(s) and (b))	म् भारता साहाया सम्ब			
4.OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)		-0-	-0-	Ì
	manaaloogii sagaa		e	
5.CITHER RECEIPTS (Dividends, Interest, etc.)	•	111.09	111.09	
		MUSEUM I		
6.YOTAL RECEIPTS (add 11(a), 12, 13(c), 14 and 15		472.33	67472.33	3
n, disbursements		" "	7	4088
7.OPERATING EXPENDITURES	22	612.84	22612.84	4
8.TRANSFERS TO OTHER AUTHORIZED COMMITTEES	Dr. Dr.	975.63	90976.63	,
DLOAN REPAYMENTS:				d
(e) Of Ligens Made or Guaranteed by the Candidate	3333 B333 B333 B334 B33	-3	- ()−.	٦
	·	-0-	-0-	¥
(b) Of All Other Losns		-0-1	-0	÷
(a) TOTAL LOAN REPAYMENTS (add 19(a) and (b))				
COREFUNDS OF CONTRIBUTIONS TO:	p tu	-J-	- D-	-
(e) Individuals/Persons Other than Political Committees			-0	
(b) Political Party Committees		-D-	-0	
(c) Other Political Committees (such as PACs)		-0	-0-	_
(4) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))				ച
21 OTHER DISBURSEMENTS	L	-0	_0-,	
22.TOTAL DISBURSEMENTS ladd 17, 18, 18(a), 20(d) and 21)	113	589.47	113509.47	
(ii. Cash Summary				_
23.CASH ON HAND AT BEGINNING OF REPORTING FERIOD , .	\$		46117.1 4	٦
24.TOTAL RECEIPTS THIS PERIOD (from Line 16)			67472,33	7
25.SUBTOTAL [add Line 23 and Line 24)	\$		113589.47	
				
28.TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	9	,	113569.47	7

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Any information copied from such Reports and Statements purposes, office than using the name and address of any p	anay not be sold or used by any per clitical committee to solicit contributi	mán for thá purpose of ions from such commit	soliciting santibution: Ico.
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The John Tieraey for Congress Committee	FEC ID No	, C00283283	
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Salen, MR		,,,,,,,	
01 970	Other (epolity)		Amount of Fort
5, Full Name, Mailing Address and ZIP Code	Purpase of Disbursement	Date (month day, year)	Amount of Each
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(, Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month	Amount of Each
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SUBTOTAL of Disbursements This Page (or	otional) ,	<u>·)</u>	90976.63
TOTAL This Period (last page this line num!	ber only)		90974,63

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